

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-14, 37-43 and 54-69 are currently pending. Claims 1, 13, 37, 42, and 54, which are independent, are hereby amended. Claims 15-36 and 44-53 have been canceled without prejudice or disclaimer of subject matter. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-5, 7-10, 13, 14, 37-39, 42, 43, 54, 55, 57, 58, 60, 61, 63, 64, 66, 67, and 69 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Application 2002/0033888 to Yamagami in view of U.S. Patent No. 6,516,135 to Higuchi, et al. and further in view of U.S. Patent No. 6,144,797 to MacCormack, et al.

Claim 6 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Application 2002/0033888 to Yamagami in view of U.S. Patent No. 6,516,135 to Higuchi, et al.

and further in view of U.S. Patent No. 6,144,797 to MacCormack, et al. and further in view of U.S. Application 2001/0012067 to Spitzer, et al.

Claims 11, 12, 40, 41, 56, 59, 62, 65, and 68 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Application 2002/0033888 to Yamagami in view of U.S. Patent No. 6,516,135 to Higuchi, et al. and further in view of U.S. Patent No. 6,144,797 to MacCormack, et al. and further in view of U.S. Patent No. 5,257,142 to Hong.

Claim 1 recites, *inter alia*:

“...wherein, while the image data recorded on said first recording medium is reproduced and displayed on said display means, said selecting means allows a user to select the image data recorded on said first recording medium to be transferred to said second recording medium,

wherein the image data recorded on the first recording medium includes single image data, dynamic image data, an index of single image data, and an index of dynamic image data...” (emphasis added)

As understood by Applicant, U.S. Application 2002/0033888 to Yamagami (hereinafter, merely “Yamagami”) relates to a user that sets an attribute generated by a digital camera to store the attribute in a file. A system includes a host computer serving as an attribute data setting means for setting attribute data related to image data or voice data, a nonvolatile memory serving as an attribute data holding means for holding the set attribute data in a digital camera in advance, a CPU serving as a recording means for automatically adding the attribute data held in the nonvolatile memory to the image data or the voice data to record the image data or the voice data, and a media recording I/F.

As understood by Applicant, U.S. Patent No. 6,516,135 to Higuchi, et al. (hereinafter, merely “Higuchi”) relates to compressed video data processing with conversion of image compression format. A local server records compressed digital video data according to a

first image compression format at normal and four times speeds, while a main server records compressed digital video data according to a second image compression format at normal speed. An image format converter is provided between the local and main servers. The image format converter converts compressed digital video data according to the first image compression format output at normal speed from the local server to compressed digital video data according to the second image compression format to be sent out over the main server.

As understood by Applicant, U.S. Application 2001/0012067 to Spitzer et al. relates to a camera, which produces a display of 1280 pixels by 720 pixels at a rate of 60 frames per second. An image sensor has an arrangement of spaced electrodes which are electrically connected to shunt in the image sensor to transport charge, but are also arranged in the imaging region such that the geometry of the electrodes within each of the plurality of pixels is similar and thereby reduces the resistance present during shifting the charge from the imaging region to the storage region.

As understood by Applicant, U.S. Patent No. 5,257,142 to Hong relates to a video cassette recorder with a television signal storing function that can simultaneously display a current television broadcasting signal as well as television program content during a tape replacing time in picture-in-picture fashion, by adopting a solid state memory device for storing the television program content during the tape replacing time, without discontinuity of the television program content due to replacing the new tape.

Applicant submits that Yamagami, Higuchi, Spitzer and Hong, taken alone or in combination, do not teach or suggest the above-identified features of claim 1. Specifically, Applicant submits that there is no teaching or suggestion that, while the image data recorded on said first recording medium is reproduced and displayed on said display means, said selecting

means allows a user to select either one image data or collective the image data recorded on said first recording medium to be transferred to said second recording medium, wherein the image data recorded on the first recording medium includes single image data, dynamic image data, an index of single image data, and an index of dynamic image data, as recited in claim 1.

Therefore, Applicant submits that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 13, 37, 42 and 54 are also patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800